

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 2:14-cr-135-FtM-38MRM

JEROME ANTONIO VAUGHN

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**ORDER**<sup>1</sup>

Before the Court is Defendant Jerome Antonio Vaughn's Motion to Modify Sentence ([Doc. 281](#)), the United States Probation Office's First Step Act of 2018 Memorandum ([Doc. 297](#)), and the Office of the Federal Public Defenders' Notice that it will not file a motion for sentence reduction under the First Step Act on Defendant's behalf ([Doc. 303](#)).

In June 2016, the Court sentenced Defendant to 151 months' imprisonment for conspiring to distribute cocaine and marijuana in violation of [21 U.S.C. §§ 846, 841\(b\)\(1\)](#)—a low end Guidelines sentence. ([Doc. 218](#); [Doc. 219](#)). Since then, Defendant has moved to modify his sentence under the First Step Act because he has strong ties with his family and has completed several courses while incarcerated to support reentry into society. ([Doc. 281](#)). The Court appointed Defendant a federal public defender to review the record and file any motion on Defendant's behalf. ([Doc. 282](#)). But both the United States Probation Office and federal public defender agree that Defendant is ineligible for relief because he was sentenced in 2016 in accordance with the Fair

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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

Sentencing Act of 2010. Because Defendant's offense of conviction is not a covered offense under Section 404(a) of the First Step Act, Defendant is ineligible for a sentence reduction. The Court thus denies his motion.

Accordingly, it is now

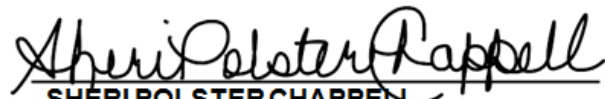
**ORDERED:**

(1) Defendant Jerome Antonio Vaughn's Motion to Modify Sentence ([Doc. 281](#)) is

**DENIED.**

(2) The Office of the Federal Public Defender has satisfied the requirements set forth in the Court's *Omnibus Order In re: Section 404 of the First Step Act*, 8:19-mc-10-T-23, and is relieved of any further obligations.

**DONE AND ORDERED** in Fort Myers, Florida on this 4th day of May 2020.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: Counsel of Record